

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WORCESTER DIVISION

DONALD P. SPEAKMAN, STEPHEN H. §
WEDEL and MARK L. ROBARE, §
Individually and On Behalf of All Others §
Similarly Situated, §
§
Plaintiffs, § § Civil Action No. 4:04-cv-40077-FDS
v. §
§
ALLMERICA FINANCIAL LIFE INS. & §
ANNUITY CO., FIRST ALLMERICA §
FINANCIAL LIFE INS. CO., and §
ALLMERICA FINANCIAL CORP. §
§
Defendants. §

**NOTICE OF BANKRUPTCY COURT ORDER IN CLASS MEMBER
MARC R. GILLESPIE'S BANKRUPTCY ESTATE APPROVING
STIPULATION OF SETTLEMENT**

Now Comes Class Member, the Bankruptcy Estate of Marc R. Gillespie, through his counsel, and files the Bankruptcy Court Order Approving Stipulation of Settlement and states as follows:

1. Plaintiffs and Defendants entered into a Stipulation of Settlement (“Stipulation”) that was approved by the Court on August 11, 2006.

2. Section 5.5 of the Stipulation provides:

If , on or before the Final Settlement Date, any Class Member is a debtor subject to a pending bankruptcy proceeding with respect to such Class Member under the federal bankruptcy laws (a “Bankruptcy Proceeding”), such Class Member shall be excluded from the Class and neither this Agreement nor the final Order and Judgment (including, without limitation, the Release and the relief set forth in parts 7 and 3, respectively) shall have any effect with respect to the Class Member, unless on or before the Final Settlement Date: (i) a final order and judgment approving and incorporating the terms of this Agreement as to such Class Member in its entirety and without qualification or conditions that affect Allmerica’s rights hereunder), or such

other final order and judgment that the Parties agree to, has been entered by the federal court having jurisdiction over such Bankruptcy Proceeding; and (ii) the Class Member files such an order with this Court and delivers to Plaintiffs' Counsel and Allmerica's Counsel copies of the same.

3. The Bankruptcy Estate of Marc R. Gillespie ("Gillespie Bankruptcy") is a Class Member. The Gillespie Bankruptcy is a Chapter 7 bankruptcy pending in the United States Bankruptcy Court for the Western District of New York, and Warren H. Heilbronner is the trustee.

4. On August 10, 2006, the Bankruptcy Court in the Gillespie Bankruptcy entered an Order approving the Stipulation as prescribed by Section 5.5 of the Stipulation. A true and correct copy of that Order is attached as Exhibit "A."

Respectfully submitted,

/s/ Robert W. Biederman
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ATTORNEYS FOR PLAINTIFFS
AND THE CLASS

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 1, 2006.

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